

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

Deborah Turner,)	
)	Civil Action No.: 8:17-CV-00114-DCC
)	
Plaintiff,)	
)	
vs.)	
)	
AnMed Health Medical Center a/k/a)	
AnMed Health; Aaron C. MacDonald, MD;)	CONSENT ORDER OF DISMISSAL
Larry Davidson, MD; Christie B. Mina, MD;)	WITHOUT PREJUDICE AND
Piedmont Spine and Neurosurgical)	TOLLING AGREEMENT AS TO
Group, PA.; Donald Woodburn, MD; 24 ON))	ANMED HEALTH
Physicians, PC; Stephen Hand, MD;)	
Syed W. Malik, MD; Clint Seymour, MD;)	
AnMed Enterprises, Inc./HealthSouth, LLC))	
d/b/a AnMed Health Rehabilitation Hospital,)	
an affiliate of AnMed Health and)	
and HealthSouth Corporation and Chris)	
Johnson, PA-C,)	
)	
Defendants.)	
_____)	

This matter was brought by Plaintiff Debora Turner in her individual capacity against Defendant AnMed Health (“this Defendant”), among others. Plaintiff filed her Notice of Intent on July 6, 2016, and the parties participated in a pre-suit mediation on November 23, 2016. Plaintiff filed her Summons and Complaint on January 17, 2017 naming AnMed Health as a Defendant. Counsel for Plaintiff and counsel for this Defendant have now agreed to enter into a consent order of dismissal, without prejudice, dismissing AnMed Health as a Defendant from this lawsuit.

Plaintiff and Defendant AnMed Health further agree that the applicable statute of limitations is hereby tolled until sixty (60) days prior to the trial date. During this tolling period, this case shall proceed against Defendants Aaron C. MacDonald, MD; Larry Davidson, MD; Christie Mina, MD; Piedmont Spine and Neurosurgical Group, PA; 24 ON Physicians, PC; Clint

Seymour, MD; AnMed Enterprises, Inc./HealthSouth, LLC d/b/a AnMed Health Rehabilitation Hospital, an affiliate of AnMed Health and HealthSouth Corporation; and Chris Johnson, PA-C. Moreover, it shall continue only against the remaining Defendants unless previously unavailable information is discovered during the tolling phase which indicates that AnMed Health should be named as a Defendant and Plaintiff's expert(s) so attest as provided by South Carolina and Federal law. If such a discovery is made, Plaintiff may file notice to the court of adding AnMed Health as long as that notice is made no later than sixty (60) days prior to trial. If such notice is given, this Defendant shall not argue the expiration of the statute of limitations as a defense to its addition, unless such notice of adding parties back in is received after sixty (60) days prior to trial date; accordingly, this Defendant will not be required to file any responsive pleading if added as a party to the ongoing action no later than sixty (60) days prior to the trial date.

ACCORDINGLY, IT IS ORDERED that AnMed Health is hereby dismissed without prejudice. This matter shall continue against the remaining Defendants, Aaron C. MacDonald, MD; Larry Davidson, MD; Christie Mina, MD; Piedmont Spine and Neurosurgical Group, PA; 24 ON Physicians, PC; Clint Seymour, MD; AnMed Enterprises, Inc./HealthSouth LLC d/b/a AnMed Health Rehabilitation Hospital, an affiliate of AnMed Health and HealthSouth Corporation and Chris Johnson, PA-C, unless or until Plaintiff timely amends the Complaint as described above.

AND SO IT IS ORDERED.

s/Donald C. Coggins, Jr.
United States District Judge

January 7, 2019
Spartanburg, South Carolina

WE SO CONSENT:

s/Deloris K. Cromartie
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WE SO CONSENT:

s/ Fred W. "Trey" Suggs III
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*Attorney for Dr. Malik & Dr. Hand &
AnMed Health*